A-3220-11T

12T

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, CRIMINAL PART
UNION COUNTY
INDICTMENT NO. 97-02-0123
APP. DIV. NO._____

STATE OF NEW JERSEY,

Plaintiff,

vs.

MARVIN MATHIS,

Defendant.

TRANSCRIPT
of
P.C.R. HEARING

Place: Union County Courthouse
2 Broad Street
Elizabeth, N.J. 07201

Date: January 27, 2012

BEFORE:

HONORABLE JOHN F. MALONE, J.S.C.

TRANSCRIPT ORDERED BY:

HELEN C. GODBY, ESQ. (Office of the Public Defender, Appellate Section, 9th Floor, 31 Clinton Street, Box 46003, Newark, N.J. 07101)

APPEARANCES:

SARA B. LEIBMAN, ESQ.
(Union County Prosecutor's Office)
Attorney for the State

CRAIG S. LEEDS, ESQ.
(Craig S. Leeds, Attorney at Law)
Attorney for the Defendant

Transcriber Cynthia Dyson-Colon
ELITE TRANSCRIPTS, INC.
14 Boonton Avenue
Butler, NJ 07405
(973) 283-0196

Audio Recorded
Operator,

I N D E X

THE COURT: Be seated please. This is the oral argument on the P.C.R. IN THE MATTER OF STATE V MARVIN MATHIS under Indictment 97-02-123. Counsels if I may have your appearances for the record please for the State.

MS. LIEBMAN: Thank you, Your Honor. I'm Sara Liebman for the State.

THE COURT: Good afternoon, Ms. Liebman.

MR. LEEDS: Good afternoon, Your Honor. Craig Leeds, appearing on behalf of the petitioner, Marvin Mathis. Mr. Mathis is present in Court.

THE COURT: Good afternoon. All right. As I indicated this is a P.C.R. oral argument on the P.C.R. I have received the written submission on behalf of the defendant and the State. I want to assure counsel that I have reviewed them. I want to thank both counsel for the thoroughness of their presentation in connection with this matter.

Just allow me to briefly indicate that the defendant was initially charged as a juvenile in connection with this matter with an armed robbery and felony murder. The State made an application for waiver of juvenile jurisdiction, which was granted. An indictment followed and on February the 4th, 1997 Mr. Mathis was indicted in a five-count indictment for

murder, armed robbery, felony murder, possession of a weapon for unlawful purposes, and unlawful possession of a firearm.

A motion to suppress the statement that Mr. Mathis had given in connection with this matter was filed, heard by the Court, and denied. A trial, a jury trial followed following which Mr. Mathis was convicted. Sentencing occurred in this matter on August the 14th, 1998, resulting in the imposition of an aggregate sentence of 50 years in New Jersey State prison with a 30-year period of parole ineligibility and the various mandatory penalties and assessments.

The conviction was appealed. The conviction and sentence were appealed, affirmed by the Appellate Division June 2nd, 2000. A petition for certification for the Supreme Court was denied on October the 11th of 2000. A P.C.R. was filed I guess initially pro se by Mr. Mathis, assigned to counsel through the Office of Public Defender, heard by this Court and denied on February the 29th, 2008.

That denial was appealed, resulting in a reversal of the denial and a remand of the matter on October the 12th, 2010 for alternate counsel to be appointed to represent Mr. Mathis and for the matter to be re-presented to the trial court and with direction

that all of the various arguments that Mr. Mathis had included in his pro se petition be addressed by counsel and presented to the Court.

The matter then as I said has resulted in the scheduling of this proceeding and the briefs were filed by both the State and the defense in connection with the matter. Counsel for the defendant heeding the direction of the Appellate Division made a very thorough submission to the Court I think which encompasses all of the arguments raised by Mr. Mathis as well as additional arguments by counsel.

And that brief was responded to in kind by the State. So I think all of the issues have been presented to the Court and considered by me and by reviewing, I will certainly allow some additional argument, perhaps to highlight some issues if it need be. So I'll first hear on behalf of Mr. Mathis. Counsel.

MR. LEEDS: Your Honor, just by way of housekeeping, I would just note for the record that I did provide the Court just this morning just momentarily, just moments ago with some correspondence that the defendant has asked me to provide. Specifically, in terms of the procedural history that it appears his initial post conviction relief

application was actually filed back in May of 2001.

He wanted that submitted because in the brief that I had filed I did not that it appeared he was a little bit beyond the five year time frame. I would respectfully submit that's clearly not the case. And in speaking with the State, it's my understanding that they seem to agree. And I'll let the prosecutor speak for herself.

But it's my understanding they seem to agree that this is, especially in light of the order from the Appellate Division that this is something that should be addressed on the merits and should not be time barred. With that being said if it pleases the Court what I would like to do for today is essentially, as Your Honor pointed out I'm going to be relying on.

And again to look at the housekeeping there was a brief that was filed that was dated October 11th of 2011, some 81 pages. Accompanying that was an appendix that was some 161 pages. I'm not going to begin today reading on page one and go through page 81 or go into all the appendix.

And I would note, Judge, the appendix is substantial. It's not simply just you know procedural documents. It includes the defendant's pro se papers, which I am going to be relying on. If for some reason

I do not cover everything here today, as Your Honor pointed out I'm simply highlighting certain aspects of the brief. And in particular if it pleases the Court what I'd like to do is highlight those reasons we would respectfully submit an evidentiary hearing is warranted.

But, again, I don't want there to be any suggestion that by not covering something here today, that the defendant is waiving those issues. We most emphatically are not. With that being said, Your Honor, the main jest of the defendant's petition for post conviction relief really stems from his allegation that he received the ineffective assistance of trial counsel.

And at different levels; at the pre-trial level, at the trial of the matter itself, and even subsequently during the sentencing phase. Beginning with the motion to suppress, the defendant raises an interesting point. And that is while he concedes that trial counsel certainly did seek to suppress the statement that he made, counsel did not raise the issue that law enforcement failed to advise the defendant that it could be prosecuted as an adult.

Now, certainly we would concede that that's not presently the law of New Jersey. Nonetheless, as

set forth in my brief there are assisted jurisdictions and in particular New Hampshire that does make it necessary for a defendant to be so advised. We would respectfully submit that the case law in New Jersey certainly does require that a defendant knowingly and intelligently waive his rights.

So it is respectfully submitted that it's not a far stretch to say in order for a defendant to knowingly and voluntarily waive his rights, he must know what the consequences of waiving those rights are. And in this case the defendant maintains by virtue of him having been a juvenile and subjecting himself to possibly being waived up as an adult by virtue of not being so advised, he really did not knowingly and intelligently waive his right to remain silent and to counsel.

In this instance, as I said trial counsel did not raise that whatsoever. Also, in that same regard at the motion to suppress, trial counsel did not raise the fact or bring to the Court's attention or call witnesses to support the assertion that the defendant had a learning disability and that he was in special education classes.

I would not in that regard that even the State in their brief at page eight indicates that

there's no dispute that the defendant was in special ed. Nonetheless, it is respectfully submitted that trial counsel should have presented such evidence. And it's particularly important because in denying the defendant's application to suppress his statement, the Court basically held and concluded that the defendant was not credible by virtue of his assertion that he didn't understand what was being read to him.

Well, had trial counsel presented information -- and by the way again I'm going to rely on the papers, the psychological reports, and everything else that was submitted and attached to the appendix. But the point is trial counsel was aware of this. Trial counsel had psychological reports that had been used as Your Honor has mentioned earlier, there was a juvenile waiver hearing.

And so at that hearing and in preparation for that hearing, counsel had retained experts. There were reports. And so it's not as if trial counsel wasn't aware of it, which it's respectfully submitted makes it that much more egregious. He knew about it yet chose not to submit it. And as I've indicated there can be no question that the defendant was prejudiced by that because in denying the motion to suppress, the Court concluded that the Judge did not find the defendant

credible by virtue of the defendant's, among other things, his assertion that he did not understand what was being read to him.

Now, as I've said I'm not going to go into all the various points here today. But certainly suffice to say the defendant does raise other issues regarding ineffectiveness of trial counsel, specifically failing to object to the grand jury proceedings and the cross section of the community. The defendant maintains it was not a make up of a cross section.

Likewise with regard to the petite jury. The defendant maintains that blacks -- to use his term, blacks and Hispanics were under represented. And in that regard he maintains that there was an equal protection deprivation. He also notes that with regard to the juvenile waiver hearings that he maintains that other groups are less likely to be waived up, meaning African Americans, according to the defendant, he seems to believe that other groups are less likely to be waived up.

And, again, that would suggest that he was deprived of his fundamental right, a constitutional right I might add to equal protection under the law. Now, I've mentioned that the defendant asserts that at

the motion suppress, there should be been some evidence presented with regard to his special education and with regard to his learning disability.

Well likewise, Your Honor, even taking aside the motion to suppress and even if that had been submitted and was denied, we respectfully submit that had that information been provided at the motion to suppress, the Court would have found the defendant to be more credible and likely would have granted the suppression hearing.

But taking that aside, even if the Court finds otherwise the defendant still could have presented such witnesses at trial. And, frankly, it's inexplicable why trial counsel wouldn't do that. And it's interesting to note that at one point during the trial -- and the Court has been provided as was the State provided with the trial proceedings, the transcripts, the minutes. I'm referring now to June 11th, 1998 which if I'm not mistaken that was the morning session. And I believe that to be 2T.

Essentially, beginning on page 114 and then going on all the way through and up to page 117, there's quite a colloquy that takes place wherein the prosecutor actually objects to counsel making reference to the defendant even being in a special education

class. And the prosecutor seems to opine that a curative charge was required by just making reference to special education.

And the reason being that according to the prosecutor an expert would have needed to be proffered. Trial counsel seemed to think that you know just calling a person from the school would suffice. But clearly it was on trial counsel's mind. So you know very often we hear well, you know, from the prosecutor that is we here well this is trial strategy. Where's the trial strategy?

Clearly, counsel wanted to introduce this in some way. But by virtue of counsel's ineffective representation did not do so in a competent and adequate way. Certainly, Judge, the defendant's state of mind and limited in this case special education and being learning disabled was relevant. And I would not that in this particular case, it was of a special importance because the defendant actually testified.

And there's case law I've submitted. And I'm referring now to pages 52 and 53, State v Sexton, for example, where it's submitted that the defendant was essentially -- and what I'd like to do here is actually quote a little bit from State v Sexton, "however, we think it's only fair in the event of a re-trial that

the defendant have the opportunity upon proper notice to the State to offer relevant experts and/or appropriate school personnel who may be able to fairly describe defendant's mental ability."

Now, I won't read the whole quote. It's there on page 52 of the brief. But essentially the Court in that case noted that there was extensive psychological expert testimony at the juvenile waiver hearing although no expert testimony was presented at trial. Well, that's exactly what we have here. The sa-- I mean you talk about a case that's right on point, that's exactly what we have here.

And the Court in that particular case said look just because the defendant is waived up doesn't mean you can't then bring in those witnesses to establish the facts upon which those experts relied. And in this instance that's exactly what the defendant is asserting. That it still would have helped the jury to assess the defendant's testimony. And by the way for that matter the same thing at the motion to suppress.

It would have helped the Court in assessing the credibility of the defendant. And in this case by virtue of trial counsel's ineffective representation, that did not happen. Now, as I've said we're alleging

ineffectiveness of trial counsel, not only at the pre-trial stage and at the trial level as well, but even right up and through sentencing. The defendant maintains that the sentence is excessive.

Now, certainly we do recognize -- and by the way aside from excessive sentence, the defendant in his pro se papers -- and I've alluded to that in my brief -- also maintains that there's constitutional issues here in terms of finding certain factors. I'll rely on the papers there. But with regard to the mitigating factors, it's respectfully submitted that there were certain factors that were present in this case that were not found by the Court.

And, again, I'll rely on the brief but, for example, mitigating factors number eight, mitigating factor number nine. There was also mitigating factor number four, mitigating factor number eleven. And the reasons that we say so are stated within the four corners of the brief. What I would point out is at one point during the sentencing hearing, incredibly enough counsel actually alludes to witnesses that he could have called. I mean it's really quite remarkable.

Judge, I could have called this; I could have called that but I didn't. That's -- I mean it's quoted on page 59 of my brief the exactly language, "I think

two teachers tried or attempted to testify as to his good character. There were other teachers present that weren't called." And it goes on. But essentially nobody was called that could have been called at the time of sentencing.

And, again, given the defendant's the fact that he was as I've already explained had a special education class and he was learning disabled, these are things that the Court could have and should have taken into account at the time of sentencing. Now, certainly the defendant's youth is another example. Now, I mention that one because we recognize that is not a statutory mitigating factor.

Nonetheless, the defendant's youth is something that the Court can take into account. And I would cite State v Dunbar, recognizing that a defendant's relevant youth ordinarily would enure to his benefit. And holding that the youth of a defendant may be considered as a mitigating factor even though there was no evidence he was influenced by an older person.

But guess what, in this case he was influenced by an older person. And, again, that's all set forth in the papers that were submitted in support of the defendant's present petition for post conviction

relief. What I would note, Your Honor, is that while we certainly recognize that the Court can give whatever weight it wants to in terms of mitigating and aggravating factors, certainly the Court should not -- the Court must find mitigating factors that are present in the case.

And it's respectfully submitted in this case the Court did not do that. And I'm citing State v Dazio (phonetic). And in that case -- and that's on page 61 of the brief -- but essentially that case holds for the proposition that if there are mitigating factors supported by the record, the Court must find those mitigating factors.

Again, we recognize that the Court can give whatever weight it deems appropriate. But to simply disregard or not give the defendant any weight whatsoever for mitigating factors that are clearly present in the case would be improper. So essentially, Judge, the defendant is maintaining that he received the ineffective assistance of trial counsel. As I've said, typically the prosecution will very often say this was trial strategy.

What possible trial strategy could there be in not calling experts at that motion to suppress. Or to make matters worse, at the trial. The defendant's

attorney was certainly aware of these experts. And it clearly impacted not only on the motion to suppress and denying the defendant's application, but also in ultimately the defendant being found guilty as opposed to had the jury been given the benefit of those experts and been made aware of special education and what that means.

And, also, in terms of the psychological reports that counsel was aware of. Again, it's not a situation where he didn't know about it. That's what makes it that much more egregious. To know about it and then not use them. And so for all of those reasons we would respectfully submit that Your Honor could grant his application outright, finding a per se ineffectiveness.

But certainly and in the alternative we would request an evidentiary hearing. We would respectfully submit that the defendant has certainly and at a minimum made a prima facie case of ineffective assistance of counsel, thereby requiring an evidentiary hearing.

Finally, Judge, I would just note that the State in its opposition papers did state quite a few times that, you know, these are issues that could have been raised on appeal. These are issues that could

have been raised on direct appeal. To the extent that Your Ho-- and in some respects the State is right. But if the Court were to find that, yes, these are issues that could have been raised on appeal it almost, you know, and the State making that argument they're almost helping to prove our case.

Because one of the things we also allege in point six of the brief -- of counsel's brief, is that the defendant received ineffective assistance of appellate counsel. Well, here's the State saying this could have and should have been raised and it wasn't, so he's barred. Well, what better proof of ineffectiveness of appellate counsel than from the State's opposition saying it could have been raised on direct appeal and it wasn't.

And so it sort of proves the point. And so to the extent that the Court finds any issues here should be procedurally barred by virtue of appellate counsel not raising those issues, we would ask the Court to find that appellate counsel was indeed ineffectiveness. And so for that reason we would ask Your Honor to address these issues on the merits, taking into account the ineffectiveness of trial and appellate counsel.

THE COURT: Thank you, counsel.

MR. LEEDS: Thank you, Judge.

THE COURT: Ms. Liebman.

MS. LIEBMAN: Thank you, Your Honor. Just one thing. Just to be clear the Appellate Division remanded for this hearing. The remand had nothing to do with the merits of the Court's decision. I just want to make sure the record is clear. It had to do with defendant's prior P.C.R. counsels' presentation. So it's not as if the Court took any issue with they didn't rule on it. But they didn't have any quarrel with or make any ruling with regard to the merits of the Court's decision, denying the petition for post conviction relief.

Turning now to the argument, I'll be brief, Your Honor. First, with regard to many of the procedural bars that the State cited were claims that actually were raised in the Appellate Division. And, therefore, they're barred because the defendant can't re-litigate them. And to the extent that the State argued that some claims were procedurally barred because they could have and should have been raised on direct appeal, in our brief we also addressed the merits.

And in addition to being procedurally barred, all of the defendant's claims lack merit and he has not

met his burden on any of the claims. The main claim seems to be that evidence of the defendant's lower intellect or perhaps mental deficiency was not presented. First of all the -- counsel's argument presupposes that he has experts that would have established that the defendant had a diminished capacity defense or that it would have been relevant to his issue in understanding his Miranda warnings and giving a statement.

And the State submits that that simply is not the case. As pointed out in the State's brief, there were three expert reports. The State also did have an expert. Even the defense experts don't conclusively establish or make any conclusive or unequivocal statement that the defendant had any issues understanding and making decisions and knowing what he was doing and knowing the consequences of his actions.

And I would also submit, Your Honor, that the fact that the defendant was able to produce his -- he submitted a pro se brief, the first P.C.R. I don't know if it was the same one this time. But certainly he has a grasp of the legal issues. And to the extent that he was in special ed, yes, the State's not disputing that.

But it's a huge difference from being in

special ed or requiring special education to not knowing what you're doing or not understanding what the police were telling you when they were talking to you when you were giving a statement and when your mother was present during the conversation.

And as set forth fully in our brief, the findings that the Court made at the motion to suppress were certainly grounded in the credible evidence. And there's nothing showing that had any other information or expert testimony been presented that that would have changed the result further.

Even giving the defendant all the benefit and saying okay the confession would have been suppressed, there was still substantial evidence of the defendant's guilt. And he's not able to show that had counsel been able to present expert testimony that would have established for the Court that the defendant was incapable of understanding and waiving his Miranda rights and that his statement wouldn't have been admissible.

And, again, the State had an expert that said that that was not the case. So you would have had at best a battle of the experts. But even had he been able to establish that, and even had the Court suppressed the confession, there still was substantial

and overwhelming evidence of his guilt and the verdict would have been the same. And that's the standard that he has to meet. And he has not. He just has not do so, Your Honor.

For the rest of the argument, I'll rely on the brief. In conclusion, the defendant has not satisfied his burden. He has not set forth even a prima facie case of ineffective assistance of counsel. His petition should be denied without an evidentiary hearing. Thank you.

MR. LEEDS: Your Honor, if I may briefly respond.

THE COURT: Very briefly.

MR. LEEDS: The State had mentioned just moments ago diminished capacity that the experts do not find diminished capacity. I just want to note, again referring to page 52 of my brief, we're not suggesting here that the defendant had a diminished capacity or an insanity defense.

Nonetheless, under State v Sexton 311 N.J. Super 70, an Appellate Division 1998 case, the Court concluded that the defendant's mental condition may nonetheless be admitted as evidence at trial. And, again, I'm just going to quote this and then I'll sit down. This is a quote from State v Sexton. "We note

that despite extensive psychological expert testimony at the waiver hearing, no expert testimony was offered at trial.

"Under those circumstances, it was within the trial judge's discretion either to admit or to exclude defendant's and his mother's testimony regarding his school placement. The trial judge found the proffer so vague as to be more prejudicial and confusing and relevant. However, we think it's only fair in the event of a retrial that the defendant had the opportunity upon proper notice to the State to offer relevant experts and/or appropriate school personnel who may be able to fairly describe a defendant's mental ability."

Again, Judge, we're not suggesting here today, we don't want to be disingenuous to suggest there was a diminished capacity defense. What we are suggesting is that nonetheless and as conceded in the State's brief, the defendant was in special education. He had a learning disability. And that is something that the Jury should have been made aware of because it sheds light on the way he testified. And he did testify at trial. Thank you, Your Honor.

THE COURT: All right. A couple of things bear nothing before getting into the substance of the

application before the Court. This is largely a P.C.R. based upon the contention of ineffective assistance of counsel. The Strickland test, the two prong test in Strickland is that it guides the Court in considering such application. It is incumbent upon the defendant to demonstrate that counsel not only committed errors, but did so committed errors of such a serious nature that counsel was not functioning as the attorney required under the Sixth Amendment.

And, secondly, that there is a reasonable probability but for those errors, those serious errors by trial counsel the result would have been different. There are also some court rules that apply in most P.C.R.'s that are worth noting. Rule 3:22-4 speaks to the issue of matters which might have been or could have been raised at the Appellate level as constituting a bar to a P.C.R.

And I think significantly in this case Rule 3:22-5, those issues which were raised on appeal and the bar to attempting to re-litigate those issues through the P.C.R. process. I agree there is not a procedural bar here based on time. This is a remand. And I appreciate the prosecutor pointing out it was not for errors by the trial court but rather deficiencies of P.C.R. counsel. But it doesn't raise an issue that

this is some way barred by time, the timeliness of this application.

Largely, this is a claim of ineffective assistance of counsel related to the claim that counsel failed to raise the learning disability and special education status of the defendant. And it is contended that that failure occurred at three stages of the proceedings. And the juvenile court when the waiver to adult court occurred, during the Miranda proceeding, and at the time of sentence. Let me back up. At the Miranda and the trial and then again at sentencing.

With respect to the contention that the failure to raise a learning disability or special ed status, constituting ineffective assistance, the Court notes that in reviewing the record, it does not find that there are any facts from which it could be demonstrated that the fact that the defendant was learning disabled or was a special ed student was sufficient to show that he had a mental deficiency that would some way render him incapable of or impairing his ability to participate in this case.

There is nothing that indicates that he was disabled so that he could not knowingly and voluntarily waive his Miranda rights. That somehow that special ed status would have affected his waiver hearing in

juvenile court, his participation in the trial, or even affect the sentencing. We are not without a record here. There was a waiver proceeding in the juvenile court. There was a psychologist involved in that proceeding.

And again the conclusion of the court is that there was not evidence that the mental deficiency was so severe that the absence of his presentation would have affected the outcome of the proceeding. There is nothing to show that reasonable probability but for the failure to present that evidence, the result somehow would have been different.

And with respect to the other various, there are other issues raised in his P.C.R. It is contended, for example, that the waiver was improperly granted. The Court notes that that wasn't a matter that was previously before the Appellate Division and is then subject to the bar of Rule 3:22-5.

There is a suggestion that there is some equal protection argument that relates to the juvenile waiver. But, again, there is based upon the contention of the disparate application of the waiver rules, but there is nothing in the record that suggests that in the applicability of that argument in this particular case or that had the argument been made that somehow

would have affected the outcome.

There is a contention that the Miranda, that the determination in the Miranda case was improper. That it should not have been granted separate and apart from the failure, the learning disability aspect of this P.C.R. That is certainly something that could have been raised on appeal. But even not considering the procedural bar, that it could have been adjudicated.

There is nothing here again that would suggest that anything could have been presented, should have been presented that would have affected the outcome of the Miranda hearing. The P.C.R. further include issues with respect to the sentence, other than the learning disability and special ed status argument. It is suggested, for example, that the sentence exceeded the maximum.

The sentence here was 50 years to State prison which is well within the range of those sentences available for a First Degree murder conviction. There is a suggestion that there may have been a Blakely type issue here. However, as the State pointed out, there is no presumption of a particular sentence in connection with this offense.

There is the suggestion of some other

procedural defect based upon arguments, Apprendi type arguments. But, again, no demonstration as to how that would have affected the sentence in this matter. There's a suggestion in the P.C.R. that the grand jury proceeding was deficient based upon equal protection arguments.

Again, it is not developed or demonstrated as to how that would have affected the outcome of this matter. There is simply nothing that indicates to the Court that errors committed by trial counsel, if there were any, were such a substantial nature so that it is reasonably probably that the results would have been different.

I must conclude that there has not been a prima facie showing of ineffective assistance of counsel demonstrated in this case from which the Court could determine, should determine that a hearing is required. This P.C.R. application is denied. Thank you, counsel.

MR. LEEDS: Thank you, Your Honor. Will the State be submitting an order, or would you like me to, Your Honor.

THE COURT: I'll send it to you.

MR. LEEDS: Okay.

MS. LIEBMAN: Thank you, Judge.

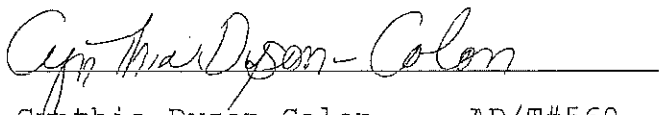
MR. LEEDS: Thank you, Judge.

THE COURT: You're welcome.

(Proceedings Concluded)

CERTIFICATION

I, Cynthia Dyson-Colon, the assigned transcriber, do hereby certify that the foregoing transcript of proceedings on January 27, 2012 in the Union County Superior Court, digitally recorded, Time Index 12:07 to 12:45, is prepared in full compliance with the current Transcript Format for Judicial Proceedings and is a true and accurate compressed transcript of the proceedings as recorded, to the best of my knowledge and ability.



Cynthia Dyson-Colon AD/T#560
ELITE TRANSCRIPTS, INC.
Butler, New Jersey 07405 September 11, 2012